



2010

.

.

:

.

()

.

.

...

.

1	:
6	1.1
6	1.1.1
11	2.1.1
18	2.1
18	1.2.1
20	2.2.1
	:
25	1.2
26	1.1.2
46	2.1.2
60	2.2
60	1.2.2
70	2.2.2
73	3.2.2

:

76	1.3
79	1.1.3
84	2.1.3
91	3.1.3
94	4.1.3
103	5.1.3
104	6.1.3
112	2.3
112	1.2.3
117	2.2.3
119	3.2.3
123	4.2.3
127	
134	

2010

.

.

.

.

.

5

Abstract
Immediate Adjudication According to Saudi Pleading System
Saud Fahad Al-Anzi
Mu'tah University, 2010

As following the ordinary procedures in prosecution requires long time and high expenses in a way that may collide with adversaries' interests that get of the tardily or procedures and delaying getting the protection of the law, the various legislations appeal to decide specific systems aim to help adversaries whom their conditions or situations requires accelerating determining a protection for them, even if a temporal protection that point out their status temporally until the origin of conflict between them is dogmatically resolved, which motivated the Saudi and Jordanian legislators to establish the immediate adjudication system.

According to what mentioned above appealing to immediate adjudication became one of the essential and significant matters for adversaries, because of the imperative need to push away the harm that threatens their rights.

So, it was necessary for the procedures of immediate case at the court to characterized by the fast response in taking required carnal managements and following ease and simply.

The researcher has discussed this topic through dividing the study into Two Chapters preceded by an initiative chapter.

In the initiative chapter the researcher has discussed the definition of immediate adjudication and differentiated it from other adjudication systems, the First chapter Clarified the conditions of immediate adjudications and specialized courts, and the second chapter explained types and procedures of immediate adjudications. The Saudi and Jordanian legislators made good by establishing this type of adjudication to accommodate between Two perspectives, The first one is the fluency of adjudication and enabling adversaries to prove their claims or to offer their advocacy, the second perspective is that delaying giving a decision for the case harms the benefits of adversaries, the purpose of this system is to help adversaries with immediate judgments susceptible for forced implementation, and these judgments locate adversaries at a temporal status until the origin of right is disclosed.

Immediate adjudication also helps with keeping on the origin of right by giving a temporal judicial protection for the right in a specific case, with giving the decision of the judge of immediate cases a productive and efficient role according to the possibility of disclosing a probable judicial decision in the future wither this decision was according to a subjective case that was truly established or waiting to be established within the period assigned by legislation, and so immediate adjudication system help to guarantee that the subjective case achieves its goal.

1421/5/20 (21/)

.

(1)
.

.

(2)
.

(3)
.

1	<hr/>	1
	.(2006)	
.291		
	.(1996)	2
	.221	
.196	.(1994)	3

.

(1)

.

.

(2)

1968/1/22

.

1

.(1957)

1

.241

()

.122

.(1993)

2

.8

1

.(2004)

.293

.65

(1)

656

.

.

1952

101

(3/164)

(120)

.⁽²⁾1988 24

(3)

245 – 211

.(1998) 1

.23

.2006 16 2005 20 2002 14 2

1421/5/20 21 3

. 1421/6/17 7111

1.1

1.1.1

:

141

245 – 233

.

.

(1)

.

"

(2)"

.

"

(3)"

.

"

.(1967)

1

.17

.68

2

.(1980)

3

.423

„(1)

.

24

176

„

1988

„(2) (....

.

„(3)

.

.293

1

1995/10/29

95/1769

2

„(1995)

.11

„(1995)

3

.27

32

)

.(...

233

)

.(

(1)

.

:

:

-

(2004)

1

.18

(1)

-

(2)

-

.

2.1.1

.

.

9

(1967)

1

.389

2

.12

11

1

(1991)

:

(1)

.

(2)

:

-1

(3)

.

.

11

1

.630 1969

.151

2

1986

1

322

.

3

.122

.
).....

(1)(...

-2

(2)
.

-3

(3)
.

.

1995/10/12

95/1744

1

.199

.(

.118

2

151

3

323

-4

)
152

(1)(....

·
:

:

:

1995/5/7
.152

95/814

1

(1)

:

:

(2)

(3)

:

(4)

2

1

.303

2

.27

3

.69

4

3 1

(2002)

.1156

(1)

:

(2)

:

:

(3)

(4)

...)

		<hr/>	
	(2002)	1	
	.62	2	
	.413	3	
	.430	4	
.1138	1		

.....

(1) (...
:

(2)
.

(3)
.

- -

(4)

.

.

1992/10/15
.25

92/1288

1

56

.() 2

570

288 3

.(2007) 4

.24

2.1

.

1.2.1

8

)

/137

1996

.(

60

:

- 1)

.

- 2

:

(

)

.

.

.

.(

)

58

.

.(

:

-

(1)
.

(2)
.

-

. 17

1
2

(1984)

.21

(1)

-

(2)

-

(3)

.

2.2.1

-

-

.

.234

.235

235

1

2

3

2/322

(1)

)

(

.

(2)

.

:

.

:

.

.

)

29

(

.53

1

.36

2

.54

29

:

"245 – 234"

.

/79

()

.

) 175

.(

175

234

.

.

.

.

(1)
.

.

.

8

(1)

(1)

(2)

(3)
.

(4)
.

32

.

"

1988

24

"
.

-1 :

233

"

"
.

:

.72

(1)

17

(2)

.8

(3)

.129

1997

(4)

.43

.

(1\111)

"

"

.

72

"

"

.

(1)

.

.

1.2

32

233

.43

(1)

1.1.2

233

234

233

(1)

(1)

(1) .

"

(2)" .

"

(3)"

"

(4)" .

.301

(1)

.58

.51

2

(2)

.414

(3)

.51

(4)

"

(1)"

"

(2)"

....."

(3)"

2

(1982)

(1)

.174

.213

(2)

1012

4

1953/5/14

(3)

.146

)

() (

1988 14

...."

(1) "

...."

(2) "

...."

(3)"

—

	1994/6/25	94/1072	1
.20	1992/10/15	92/1288	2
.25	1995/10/29	95/1769	3
.13			

" -

32

22

(92/540)

(1444)

(1444)

2/46

"

"

"

57

"

.

"

118

"

.

188

(1) "

.

1992/6/1

92/742

1

.436

"

"

.

2000/1/15

1999/2337

.

(1)

579

"

"
.....

"

"

"

"

"
....

.1983 90

1

579

(1) " ...

.

-

.

"
...

(2) "

.

.1995/10/26 152

.256

188

1985/12/5

.119

.753

1

2

.

.

.

:

:

.

:

.

:

·
:

·

”

·
(1) ”

” ”

”

” ”

” ”

”

” ”

” ”

”

” ”

” ”

”
·

·

:

1075

1968

1968/1/11

1

.116

:

.

:

(1)

.

"

(2)"

.

.1147

(1)

1992/3237

(2)

.2000/1/13

:

.

...."

(1) " ...

(2) .

:

.

(3) .

1992/3237

(1)

.2000/1/13

(2000) (2)

172

.66 1

16

(1960) (3)

89

(1961)

•

(1)

•

(2)

•

319

1

.25

.256

(1)

.39

.59

(2)

.30

1

(1)

(2)

(3)

173

(1)

(1976)

39

234

.311

(1995)

(2)

146

173

13

.134

173

(3)

29

.123

233

(1)

(2)

(3)

1917/3/31 29

.180

1919/2/26 31

1

.302

.143

2

.30

.28-27

3

(1)
.

.

:

(2)
.

(3)
.

.1918

1918/10/30

1

.116

57

1945/4/4

.144

.413

(2)

89

(3)

319

.25

(1)

(2)

(3)

.

194

29

145

.234

.25

42

.

17

73

(1)

(2)

(3)

(1)

(2)

"

(3)"

(4)

-

-

-

-

.

.28

(1)

.130

(2)

515

1955

20

(3)

.27

27

(4)

.

:

(1)
.

.

" (2)

(3) "
.

"

.641	200	1989/12/21	_____	(1)
	.120			
	.120			(2)
		(.)		(3)
		.315		

(1) "

.

:

.1

.2

.3

.

514

(1)

1995/5/18

.122

.

2.1.2

(1)

.

233

.

)

32

.(

)

233

(

()

.

.

.148

1

“ ” 233
“ ” “ ”

.

.

∴

∴

(1)
.

(2)
.

(3)
.

.427

.33

.(1992)

.30

1

2

3

(1)

.

...)

.

.

....

32

.(2) (...

)



1

.26

1

.(1997)

.141

.42

1992/8/23

.92/1033

2

.42

.(1) (

(2)

.

(3)

(4)

.

.

.

999

1935/12/19

1

.157

.156

2

.1152 1

.(1957)

3

. 20

.141

4

—

.

(1)

.

)

236

.(

.

.274

1

.58 1

. 126

-

-

.

(1)
.

-

-

(2)
.

(3)
.

.58 1
.180
.40-39

1
2
3

.

"

"

.

.

:

:

:

:

.

:

(1)
.

(2)
.

...)

(3)
.

(4)

	.91	1
	.35	2
48-303-13	1952/3/14	3
	.36	
.86		4
	.94	

.

:

:

.

-1

(1)

.

.....)

(2)(

.

3

.44

1

.

335

15

1935/8/17

2

614

.241

(1) -2
 ...)

$\cdot^{(2)}($ -3
 :
)

$\cdot^{(3)} ($ -4

.

)

6

.109

1

.61

2

1991/3/7 12

.447

3

49 1982/11/14 1021

.53-52

(1) (

-5

(2)

(3)

.

.1000 5

1954/6/24

1

.158

.309 304

.198

2

81

3

134

64

.89

233

.

-6

(1)

.

)

(2)

.

:

.

)

.133

1952/1/10

.(2002)

.84

20

202

.21

1

2

.⁽¹⁾(

:

...)

.⁽²⁾ (

:

:

:

.⁽³⁾

1759

1983/1/29

1

.161

1982

1992/6/30

1992/881

2

.30

.117-112

3

.

:

(1)

.

:

.

.

"

67

"

.

.

.74

1

2.2

1.2.2

.

.

.

:

.

(1)
.

.

8

26

8

. 1402/7/17 51/

1

"

26

"
.....

.

1350/1/15

32

444 443

()

1389/9/6

(2/)

. 176 174

(1)

.

.240

.306

(1)

.

1/ /9

)

1992

12

.(

)

(2)

.(

)

" /9"

1967 2

(3)

.

(2005)

1

.99

. 1402/7/17

51/

2

.1992

1991/1/31

3

)
(⁽¹⁾

.

.

(2)

(3)

.

:

:

.

.781 1991
 .167
 .245

1619	91/11	1
		2
		3

(1)

.

.

:"

"

-1

(2)

.

(3)

.

(4)

.(1966)

1

429

3

.402-399

.(1967)

2

.711

.467

3

.194

4

6/ /9

.

:

1953 18

2001 31

. "1403/7/12 46

.1994 27

"

(1)

.

1994 (43)

(94/1774) 1

" :

.1985 (8,7)

(71/27)

."

.248

2001 31

(1) .

13

)

.(

(2) .

-

27-25

1

.25 1995

2

.190

-

.

.

.

.

:

(1)

.

:

(2)

.

30

"

(1/31)

"

"

"

.

"

233

"

.

(1993)

1

.221

.221

2

.

31 30

(1) .

(2) .

(3)

244

(1)

.33

250

.215

(2)

108

(1971)

(3)

. 247

(1) .

(2) .

.

233

.

.

-

-

.687

(1)

.194

(2)

(1). 32 31

.

.

()

.

3.2.2

34

.

45

(2001)

(1)

.243

"

"
.

.

.38 34

.

"

34

"
.

.

.

)

.

(

(1)
,

71

"

"
.

.

.243

1

1.3

233

32

"

233

"

)

.(

)

234

:

-

-

-

.(

:

:

" — "

234

234

32

234

32

.

.

.

(1)

.

.130

1

.122

.

.

1.1.3

/234

116

)

.(

3/32

"

(

)

(1)

.

:

:

.349

1

. 73

:

:

. (1)

. (2)

:

-1)

2/32

.

-2

.

. 31

1

. 317

2

-3

(1)(

(2)

:

:

(3)

(4)

1993/12/14

93\1927

1

.283

.()

2

.(1997)

.71

. 152

1

. 27

3

. 181

4

(1)

.

:

:

(2)

.

-

.

-

.

1955/3/5

1955

889

1

.39

1984/3/25

1984

327

. 40

.317

2

171

188

(1)
.

(2)
.

31)

(
233

.

(116 – 112)

(86- 83)

.

"

"

"

"

.

. 346

.173

2.1.3

" /234"

"1/32"

.32

.

157

()

.

1149

.

:

:

:

)

237

.(

:

(1)

.

4

—

:

31

—

.

.(2)

:

—

.

—

.

—

.

3/234

—

.

.206

1

.154

2

.420

.

207

•

•

•

:

•

•

(1)

•

2

31

11

11

•

.(2)

•

•

•

•

•

•

.1

•

.2

•

.3

•

•

•

:

.207

1

.138

2

.401

.207

(1)

:

:

(2)

-

-

:

3

234

.

.

(3)

:

.

. 1138 66 1 -

1932/10/3

1

. 207

2

. 314

3

31 -1

()

. " "

31

"

31

8

. "

.

32 -2

() " "

.

" 32

17

. "

.

.

.

(1)

.(2004) 1

.74

:

:

.

(1)
.

()

(2)
.

— — /134

(3)

— —
) 238

.(

1

.(2003)

1

.186

. 186

2

.336

3

.

:

" "

199

-1

)

.

- :

.

.(..

-

-2

-

236

(236)

-

-

.

.

(1)

.

. 243 242

1

3.1.3

(1)

32

.

)

157

.

.(

236

)

. 303

1

.(

:

236

-1

32

.

.

-2

236

()

.

236

2/33

157 32

236

157

1

()

...)

236

.(...

.(1)

-1

-2

-3

. 167

1

-1) :

-2

-3

157

157

.⁽¹⁾ (

4.1.3

234

" "

.

32

-2)

.(

.

.⁽²⁾

.

1995/4/11

95/666

1

.304

. 143

2

.....)

" "

.

869

.(1)(.....

.....

.....)

896 894

.(2)(...

.

.

:

1995/7/27

95/1310

1

. 232-231

1995/6/7

95/1032

2

.241-240

: 894 :
)
 898 ()
 .()

) 239
 .(

234 (1)
 .

32

.
 : :

:
 : :

(2)
 .
 :

. 26	1
. 157	2

896 -1)

:

-

-

-

-

.

.(

-2

)

⁽¹⁾ (

⁽²⁾
.

95/1756

1

1995/10/15

.216-215

2

. 478 1

: :

896

)

239

.

.(...

...)

(1)

.

"

"
.

(2)

.485

1

1

. 309

2

(1)

:

:

(2)

.

.

. 537 521

.493

.415

1

2

(1)
.

(2)
.

:

:

240

.

)

.(

.

898

(3)
.

(4)
.

.155

1

. 457

2

.155

3

. 475

4

(1)
 :
 :
 (2)
 :
 :
 900
 (...)
)
 240
 .(
) 243
 .(
 :
 :
 :
 -1
)
 889 241
 .(
)
 901 241
 .476
 .313
 1
 2

.(

)

902

241

.(

-2

.

903

244

)

(

-3

) .

...)

239

.(

:

:

:

-1

.

)

245

.(

-2

.

5.1.3

32

32

-)

/234

.(

/234

.

):

234

2

.(

.

." - " 31

()

·
()
" "

"

1385/9/6 21

·

233

·

6.1.3

·

.

:

:

.

(1).

.

:

212 206

) 1/206 .

) 1/207 .(

3 2/207 (

.

404

1

(1)

)

210

.

.(

(2)

.

.

"

"

(3)

.

.

405

1

.410

2

1992/9/1

92/1075

3

. 423

.

58

)

.(

58

/1

)

.(

231

" "

.

:

:

195

192

222

213

(1)

.

213

192

/217

.

)

192

.(

. 412

1

)

.(

.

(1)

.

.

.

.

:

:

(2)

.

(3)

.

. 946

1

. 310

2

. 260

3

216 – 208

152 – 141

.
:

:

:

(1)

211

:

)

.(205

.
) :

2/141

:

.312

1

-3 .

-2 .

-1

.

.

2/141

⁽¹⁾ (

:

:

211

⁽²⁾

.

)

3/141

⁽³⁾ (

:

(4)

2005/1/9

"

" 2004/2346

1

.

.312

2

.322

4

1997

94/1664

3

.313

4

) 215

.(

.

141)

150

.(1) (

:

:

(2)

.

:

:

(3)

.

2005/1/9 " " 2004/2346

1

.318

2

.399

3

:

(1)
.

2.3

(2)

(3)
.

1.2.3

.

:

39

56

"

"

"

:"
:

. 319

1

. 276

2

.376

3

	:		-1
	.		
:			
.			
			-2
	.		
			-3
	.		
.			-4
:			-5
	/	/	
		.	
	:		-6
.			
	.		-7
.			-8
		.	
	:		
		:	

:-

.(1)"

" "

"

)

3

.(

.

:

-1

.(2)

3

-2

.119

1

. 318

2

. 145 1

.742

3

-3

1

.

.

.

:

-

(2)

.

192

1

. 404

2

(1)
.

(2)
.

.

(3)
.

:

-

(4)
.

. 346

. 212

. 162

. 748-747

1

2

3

4

(1)

(2)

2.2.3

235

)

.(

. 748-747

.712

. 406

1

2

$$1/61$$

.

$$40$$

)

$$62$$

(

:

.

$$.1$$

.

$$.2$$

.

$$.3$$

.

(1)

.

.

$$.219$$

$$.258$$

$$1$$

3.2.3

:

:

2/159

"

161

"

"
.

"

164

..)

"

160

.(..

(1)

(2)
.

.261

1

. 573

2

.(2004)

.265

.818

.463

1

.357

. 119

.

(1)

.

(2)

.

:

.

.1

.2

.

.3

.

.4

.

.

.818

1

120

1

.357

.573

.(

)

2

.724

.(1)

233

)

.

3/133

(...

"

·
"

)

.(2) (

.(3)

. 81

1

– 92/883

2

– 94/322

3

:

(1)

170

9

.

)

198

.(

)

199

- :

.

.(

.

.262

1

4.2.3

" (18)

"

2/176

)

173

)

.(

192

•

•

•

•

-1

2/175

•

176

•

•

181 180

•

•

:

.

- 1

.

- 2

- 3

•

- 4

•

- 5

•

.

206 : -2)

207 (..
.
" .
212
:
:
.

179
)
.(..
(1)
178
)
.(

1
65
(2004)

.

200

-

"

-

.(

.(

183)

.

184)

.(

.

.

.(

185)

.

:

-1

.(178) .

-2

.

.
:

:
.1

141
245 – 233

.

.2

:

.

.3

.

.4

.

()

.

.5

.

234

.6

32

234

32

" /234" .7

"1/32"

.32

.8

/134

238

- -

.9

.10

896

)

239

.

...)

.(...

.11

.

.

.12

.

.13

233

)

3/133

(...

.

.14

.

:

.1

.

.2

.

.3

.

.4

.

.5

.

.6

.

.7

233

.

.8

.

.

.9

176

.10

		(2005)	
		.	
1		(1961)	
		.	
	9	(1967)	
		.	
1		(1991)	
		.	
		.(1998)	
		.	
		.(2002)	
		.	
		.(.)	
		.(1969)	
	.630	11	
		.(1995)	
		.	
		.(2004)	
		.	
		.(1994)	
		.(2004)	
	1		
		(2001)	
		.	

(2004)

(.)

(1993)

.(2003)

.(1997)

.(1993)

(1976)

.(1997)

.(.)

.(1995)

.(2004)

.(1966)

(1997)

(1984)

					.(.)
					2
1					.(2006)
1					.(1957)
					.(1957)
					—
					(1993)
					.(1996)
1					.(1986)
					.(2007)
		1			.(1999)
					.(1995)
					.(2004)
					.(2002)
					.(.)

		(1960)
.	89	
.		.(1971)
3	1	.(2002)
		.
		.(1967)
.		
		.(1967)
.		.
		(1989)
2		(1982)
		.
		.(1992)
		.
		.(2000)
		.
2		.(2000)
.		
		.(1980)
		.
.		.(.)
		.(1995)
		.1995 27-25